

IC 9-24-11

Chapter 11. Issuance of License or Permit

IC 9-24-11-1

Conditions

Sec. 1. The bureau shall issue a permit or license to every applicant who meets the following conditions:

- (1) Qualifies as required.
- (2) Makes the proper application.
- (3) Pays the required fee.

As added by P.L.2-1991, SEC.12.

IC 9-24-11-2

Manner of issuance

Sec. 2. The bureau may issue all permits and licenses required by law for the operation of a motor vehicle in a manner the bureau considers necessary and prudent.

As added by P.L.2-1991, SEC.12.

IC 9-24-11-3

Minors' licenses probationary

Sec. 3. (a) A license issued to an individual less than eighteen (18) years of age is a probationary license.

(b) An individual holds a probationary license subject to the following conditions:

(1) Except as provided in IC 31-37-3, the individual may not operate a motor vehicle during the curfew hours specified in IC 31-37-3-2.

(2) During the ninety (90) days following the issuance of the probationary license, the individual may not operate a motor vehicle in which there are passengers unless another individual who:

(A) is at least twenty-one (21) years of age; and

(B) holds a valid operator's license issued under this article; is present in the front seat of the motor vehicle.

(3) The individual may operate a motor vehicle only if the individual and each occupant of the motor vehicle has a safety belt properly fastened about the occupant's body at all times when the motor vehicle is in motion.

(c) An individual who holds a probationary license issued under this section may receive an operator's license, a chauffeur's license, a public passenger chauffeur's license, or a commercial driver's license when the individual is at least eighteen (18) years of age.

(d) A probationary license issued under this section:

- (1) is valid for not more than four (4) years from the date the license is issued; and
- (2) may not be renewed.

As added by P.L.2-1991, SEC.12. Amended by P.L.57-1998, SEC.6; P.L.225-1999, SEC.3; P.L.79-2001, SEC.1.

IC 9-24-11-4

License limit

Sec. 4. An individual may not have more than one (1) valid driver's license at a time.

As added by P.L.2-1991, SEC.12.

IC 9-24-11-5

Permit and license contents; photograph or computerized image

Sec. 5. (a) A permit or license issued under this chapter must bear the distinguishing number assigned to the permittee or licensee, and must contain:

- (1) the name of the permittee or licensee;
- (2) the date of birth of the permittee or licensee;
- (3) the mailing address or residence address of the permittee or licensee;
- (4) a brief description of the permittee or licensee;
- (5) if the permittee or licensee is less than eighteen (18) years of age at the time of issuance, the dates on which the permittee or licensee will become:
 - (A) eighteen (18) years of age; and
 - (B) twenty-one (21) years of age;
- (6) if the permittee or licensee is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date on which the permittee or licensee will become twenty-one (21) years of age; and
- (7) except as provided in subsection (c), for the purpose of identification, a:
 - (A) photograph; or
 - (B) computerized image;of the permittee or licensee;

and additional information that the bureau considers necessary, including a space for reproduction of the signature of the permittee or licensee.

(b) In carrying out this section, the bureau shall obtain the equipment necessary to provide the photographs and computerized images for permits and licenses as provided in subsection (a).

(c) The following permits or licenses do not require a photograph or computerized image:

- (1) Temporary motorcycle learner's permit issued under IC 9-24-8.
- (2) Motorcycle learner's permit issued under IC 9-24-8.
- (3) Operator's license reissued under IC 9-24-12-6.

(d) The bureau may provide for the omission of a photograph or computerized image from any other license or permit if there is good cause for the omission.

(e) The information contained on the permit or license as required by subsection (a)(5) or (a)(6) for a permittee or licensee who is less than twenty-one (21) years of age at the time of issuance shall be printed perpendicular to the bottom edge of the permit or license.

As added by P.L.2-1991, SEC.12. Amended by P.L.39-2000, SEC.11;

P.L.42-2001, SEC.1; P.L.176-2001, SEC.13; P.L.1-2002, SEC.45; P.L.34-2003, SEC.2.

IC 9-24-11-6 Repealed

(Repealed by P.L.34-2003, SEC.4.)

IC 9-24-11-7

Restrictions

Sec. 7. The bureau, when issuing a permit or license under this article, may, whenever good cause appears, impose restrictions suitable to the licensee's or permittee's driving ability with respect to the type of or special mechanical control devices required on a motor vehicle that the licensee operates. The bureau may impose other restrictions applicable to the licensee or permittee that the bureau determines is appropriate to assure the safe operation of a motor vehicle by the licensee or permittee, including a requirement to take prescribed medication. When the restrictions are imposed, the bureau may issue either a special restricted license or shall set forth the restrictions upon the usual license form.

As added by P.L.2-1991, SEC.12. Amended by P.L.208-2003, SEC.10.

IC 9-24-11-8

Violations; license suspension

Sec. 8. (a) Except as provided in subsections (b) and (c), a person who violates this chapter commits a Class C infraction.

(b) A person who:

(1) has been issued a permit or license on which there is a printed or stamped restriction as provided under section 7 of this chapter; and

(2) operates a motor vehicle in violation of the restriction; commits a Class C misdemeanor. The license of a person who violates this subsection may be suspended in the manner provided for the suspension or revocation of an operator's license.

(c) A person who causes serious bodily injury to or the death of another person when operating a motor vehicle after knowingly or intentionally failing to take prescribed medication, the taking of which was a condition of the issuance of the operator's restricted license under section 7 of this chapter, commits a Class A misdemeanor. However, the offense is a Class D felony if, within the five (5) years preceding the commission of the offense, the person had a prior unrelated conviction under this subsection.

(d) A person who violates subsection (c) commits a separate offense for each person whose serious bodily injury or death is caused by the violation of subsection (c).

As added by P.L.2-1991, SEC.12. Amended by P.L.208-2003, SEC.11.

IC 9-24-11-9

Individuals with medical condition causing appearance of

intoxication

Sec. 9. (a) This section applies to an individual who has an existing medical condition that causes the individual to appear intoxicated.

(b) An operator's permit or license issued to an individual under this section must bear a distinctive color coding on the face of the operator's permit or license.

(c) An individual who wishes to have an operator's permit or license issued under this section must provide a verified certificate from a physician licensed to practice in Indiana attesting to the individual's medical condition. The physician's certificate must be:

- (1) provided to the bureau at the time the individual applies for an operator's permit or license under this section;
- (2) carried in any vehicle that the individual operates; and
- (3) renewed each time the individual's operator's license is renewed.

(d) The bureau shall adopt rules under IC 4-22-2 to carry out this section.

As added by P.L.134-1995, SEC.1.

IC 9-24-11-10**Court recommendation for suspension following conviction; failure to take prescribed medication**

Sec. 10. (a) In addition to any other penalty imposed for a conviction under section 8(c) of this chapter, the court shall recommend that the person's driving privileges be suspended for a fixed period of at least ninety (90) days and not more than two (2) years.

(b) The court shall specify:

- (1) the length of the fixed period of suspension; and
- (2) the date the fixed period of suspension begins;

whenever the court makes a recommendation under subsection (a).

As added by P.L.208-2003, SEC.12.

IC 9-24-11-11**Suspension by bureau upon notice of conviction**

Sec. 11. The bureau shall, upon receiving a record of conviction of a person under section 8(c) of this chapter, set a period of suspension for a fixed period of at least ninety (90) days and not more than two (2) years. The bureau shall fix this period in accordance with the recommendation of the court that entered the conviction, as provided in section 10 of this chapter.

As added by P.L.208-2003, SEC.13.